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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KRAVITZ, SCHNITZER, SLOANE &  
JOHNSON, CHTD.,

Plaintiff,

v.

ASTA FUNDING, INC., et al.,

Defendants.

2:10-CV-486 JCM (PAL)

**ORDER**

Presently before the court is defendant Palisades Collection LLC's motion for reconsideration of order granting summary judgment. (Doc. #83). Plaintiff Kravitz, Schnitzer, Sloane & Johnson, Chtd., filed a response. (Doc. #87). Defendant did not reply.

"Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); *see also* FED. R. CIV. P. 59(e); FED. R. CIV. P. 60(b).

In its conclusory motion to reconsider, defendant does not present the court with either (1) newly discovered evidence or (2) an intervening change in controlling law. At best, defendant's motion might be interpreted as an argument that the court committed clear error or that the summary judgment order was unjust. *See School Dist. No. 1J*, 5 F.3d at 1263. The arguments asserted in defendant's motion are primarily verbatim reassertions of its arguments in its summary judgment briefing papers. This is not sufficient, and defendant has failed to carry its burden as the party

1 moving for reconsideration.

2 Accordingly,

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Palisades  
4 Collection LLC's motion for reconsideration of order granting summary judgment (doc. #83) be, and  
5 the same hereby is, DENIED.

6 DATED October 20, 2011.

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9 UNITED STATES DISTRICT JUDGE